

CERTIFICATE OF FACSIMILE DELIVERY

I hereby certify under 37 CFR 1.10 that this correspondence is being sent by facsimile, (703) 308-4690, to Examiner Taofiq A. Solola, at the United States Patent & Trademark Office, on

Date: August 19, 2002Name: DAVID F. RIESSignature: *David F. Ries*
Clifford Chance Rogers & Wells LLP

Docket No. 5677-85

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of: Leo J. Romanczyk, Jr. et al.Filed: December 10, 1999Group Art Unit: 1626Serial No: 09/459,171Examiner: T. SololaFor: THE USE OF PROCYANIDINS IN THE MAINTENANCE OF
VASCULAR HEALTH AND MODULATION OF THE
INFLAMMATORY RESPONSE**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**Commissioner for Patents
Washington, D.C. 20231

Sir:

Further to our telephonic discussion of this morning, attached hereto is a copy of Form PTO-1449 regarding publication WO 99/45797, a copy of which you stated you were able to obtain on your own.

Applicants respectfully request the Examiner's consideration of the cited reference and entry into the record of this application and that it be cited of record in the prosecution history of the present application by initialing Form PTO-1449 next to the document. Such initialing is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Information Disclosure Statement is being submitted in compliance with 37 CFR 1.56, but the citation of such document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104 and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

NYB 1362649.1

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FACSIMILE

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|---------------|----------------------------|-----------------|----------------|
| TO | Examiner Taofiq A. Sololoa | COMPANY | U.S. PTO |
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|--------------|---------------------|------------------|-----------------|
| FROM | David F. Ries, Esq. | DATE | August 19, 2002 |
| SENDER PHONE | (212) 878-8121 | PAGES (W/ COVER) | <u>4</u> |

As we discussed, please see the enclosed pages.

Our Docket No. 65677-85

*My facsimile is (212) 878-8375
for purposes of returning a signed 1449.*

D. RIES

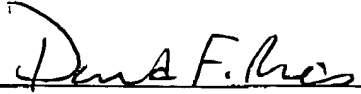
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NYA 555057.1

In accordance with 37 C.F.R. § 1.97(c), the Commissioner is authorized to charge the statutory fee of \$180.00 under 37 C.F.R. §1.17(p) and any additional fees required in connection with this submission or to credit any overpayment to Deposit Account No. 50-0521. A duplicate copy of this document is enclosed.

Respectfully submitted,

Date: August 19, 2002



David F. Ries
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